



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Stephen James Russell et al. Art Unit : 1632
Serial No. : 09/667,947 Examiner : Shin-Lin Chen
Filed : September 22, 2000
Title : THERAPEUTIC METHODS AND COMPOSITIONS USING VIRUSES OF THE
RECOMBINANT PARAMYXOVIRIDAE FAMILY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 CFR §§3.73(b) AND 1.321(b)

Pursuant to 37 CFR §3.73(b), MAYO FOUNDATION FOR MEDICAL EDUCATION AND RESEARCH, certifies that it is the assignee of the entire right, title, and interest in the above application by virtue of an assignment from the inventors of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 011355, Frame 0390 on December 8, 2000. Mayo Foundation for Medical Education and Research also certifies that it is the assignee of U.S. Patent No. 6,632,800, as indicated on the face of U.S. Patent No. 6,632,800.

The undersigned has reviewed all the documents in the chain of title of the above-identified application and to the best of undersigned's knowledge and belief, title is in Mayo Foundation for Medical Education and Research.

The undersigned is empowered to act on behalf of the assignee.

Pursuant to 37 C.F.R. § 1.321(b), and to obviate an obviousness-type double patenting rejection, the assignee identified above hereby waives and disclaims the terminal portion of the term of the entire patent to be granted upon the above identified application subsequent to the expiration date of U.S. Patent No. 6,632,800, whereby the patent granted on the above identified application and U.S. Patent No. 6,632,800 will expire on the same day, provided that any patent

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

06/24/2004 HMEKDNEN 00000119 09667947

01 FC:2814

55.00 OP

June 18, 2004

Date of Deposit

Signature

Judy Wasilkus

Typed or Printed Name of Person Signing Certificate

Applicant : Stephen James Russell et al.
Serial No. : 09/667,947
Filed : September 22, 2000
Page : 2 of 2

Attorney's Docket No.: 07039-298001

granted on the above identified application shall be enforceable only for and during such period that it is commonly owned with U.S. Patent No. 6,632,800.


The assignee identified above does not disclaim any terminal part of any patent granted on the above identified application prior to the expiration date of the full statutory term of U.S. Patent No. 6,632,800 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above. Assignee herein does not disclaim or otherwise affect any part of U.S. Patent No. 6,632,800.

This disclaimer runs with any patent granted on the above identified application and is binding upon the grantee, its successors or assigns.

Please charge any additional fees, or make any credits, to Deposit Account No. 06-1050, referencing Attorney Docket No. 07039-298001.

Respectfully submitted,

Date: June 18, 2004



J. Patrick Finn III, Ph.D.
Reg. No. 44,109

Fish & Richardson P.C., P.A.
60 South Sixth Street, Suite 3300
Minneapolis, MN 55402
Telephone: (612) 335-5070
Facsimile: (612) 288-9696